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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,714	10/29/2001	Matthew Chang	50R4802	2626

7590 05/03/2004

Rogitz & Associates
750 B Street, Suite 3120
San Diego, CA 92101

EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/03/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

PRE

Office Action Summary

Application No.

10/003,714

Applicant(s)

CHANG ET AL.

Examiner

Kieu D Vu

Art Unit

2173

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Powell (USP 5887271).

Regarding claim 1, Powell teaches a method for enhancing a viewer's shopping experience, comprising the acts of engaging a removable memory device (customer card 315) with a receptacle in communication with an entertainment device (personal computer 2000); storing information related to the entertainment device on the memory device (col 4, lines 21-36); removing the memory device from the entertainment device (inherent); engaging the memory device with a receptacle in communication with a shopping kiosk (col 4, lines 45-54; col 14, lines 57-65); and presenting a display to a viewer of the kiosk at least partially based on the information stored on the memory device (col 4, lines 50-54; col 15, lines 4-12).

Regarding claim 2, Powell teaches a method for enhancing shopping, comprising establishing communication between a memory device (customer card 315) and an entertainment device (personal computer 2000); recording viewer selections related to the entertainment device on the memory device (col 4, lines 21-36); establishing

communication between the memory device and at least one shopping computer (col 4, lines 45-54) ; and based at least in part on the viewer selections, presenting product information (col 4, lines 45-54).

Regarding claim 3, Powell teaches the memory device is a portable device (customer card 315).

Regarding claim 4, Powell teaches the acts of establishing communication include inserting the memory device into the entertainment device (col 4, lines 21-31) and shopping computer (col 4, lines 49-54), respectively.

Regarding claim 5, Powell teaches the shopping computer is a kiosk (display kiosk 1710; col 4, lines 49-54).

Regarding claim 6, Powell teaches matching products with viewer preferences based on the viewer selections (col 4, lines 34-36 and lines 49-54).

Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell and Narasimhan et al ("Narasimhan", USP 6237145).

Regarding claims 7 and 12-13, Powell teach a system for promoting purchase of products, comprising of engaging a removable memory device (customer card 315) with a receptacle in communication with an entertainment device (personal computer 2000);

storing information related to the entertainment device on the memory device (col 4, lines 21-36); removing the memory device from the entertainment device (inherent); engaging the memory device with a receptacle in communication with a shopping computer distanced from the entertainment device (col 4, lines 45-54; col 14, lines 57-65); and presenting product information to a viewer (col 4, lines 50-54; col 15, lines 4-12). Powell different from the claim in that Powell does not teach that the entertainment device is a TV receiving at least one channel signal. However, this feature is known in the art as taught by Narasimhan. In the same field of promoting purchase of products, Narasimhan discloses that product information is broadcast as a cable television signal from central location to be stored in a storage unit at the user's remote location (col 1, lines 41-47 and 56-62). It would have been obvious to one of ordinary skill in the art, having the teaching of Powell and Narasimhan before him at the time the invention was made, to modify the system for promoting purchase of products taught by Powell to engage the memory device with the TV taught by Narasimhan with the motivation to enable the viewer to receive promotions from different sources.

Regarding claims 8 and 15, Powell teaches the shopping computer is a kiosk (display kiosk 1710; col 4, lines 49-54).

Regarding claims 9 and 14, Powell teaches the memory device is a portable device (customer card 315).

Regarding claim 10, Powell teaches the acts of establishing communication include inserting the memory device into the entertainment device (col 4, lines 21-31) and shopping computer (col 4, lines 49-54), respectively.

Regarding claims 11 and 16, Powell teaches matching products with viewer preferences based on the viewer selections (col 4, lines 34-36 and lines 49-54).

5. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach about engaging removable memory device for sale promotion which relates to the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

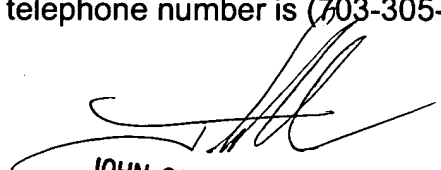
(703)-872-9306

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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Art Unit: 2173

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04/22/04